

# **Minutes of a Regular Meeting Town of Los Altos Hills PLANNING COMMISSION**

Approved 05/07/2009

THURSDAY, April 2, 2009, 7:00 p.m.  
Council Chambers, 26379 Fremont Road

---

## **1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Town Hall.

Present: Chairman Harpootlian, Commissioners Collins, Cottrell, Abraham and Clow (left at 7:11; participated only in public hearing 3.1 (Lands of David and Lucile Packard Foundation))

Absent: None

Staff: Debbie Pedro, Planning Director; Richard Chiu, City Engineer/Public Works Director; David Keyon, Associate Planner; Nicole Horvitz, Assistant Planner; Brian Crossman, Special Counsel and Victoria Ortland, Planning Secretary

MOTION MADE, AMENDED, SECONDED AND PASSED BY CONSENSUS: Motion made by Commissioner Abraham and seconded by Commissioner Cottrell to limit public comment time to three minutes and allow time as necessary for the applicant during Public Hearings.

## **2. PRESENTATIONS FROM THE FLOOR - none**

### **3. PUBLIC HEARINGS**

- 3.1 LANDS OF DAVID AND LUCILE PACKARD FOUNDATION, 26580 Taaffe Road, #42-09-CUP; Review of a Conditional Use Permit for the Packard Foundation meeting facility and a permit modification to extend the time period for permit review from 5 years to 10 years. CEQA Review: Categorical Exemption per Section 15301 (Staff-David Keyon).

Planning Commission Ex Parte Contacts Policy Disclosure: Commissioner Clow had spoken to the applicant.

David Keyon, Associate Planner, presented the staff report for the review of the Conditional Use Permit. Modification of the permit is requested to extend the length of time between reviews from five to ten years.

George Vera, Vice President and Chief Financial Officer of The David and Lucile Packard Foundation, explained that the Taaffe House facility offered meeting space for use by non-profit groups.

## OPENED PUBLIC HEARING

Sandy Humphries, Environmental Design and Protection Committee, asked about the number of meetings held and guests accommodated at the Taaffe House.

## CLOSED PUBLIC HEARING

MOTION MADE, SECONDED AND PASSED BY CONSENSUS: Motion made by Commissioner Cottrell and seconded by Commissioner Clow to approve the Conditional Use Permit and the modification to the conditions of approval to allow the time between reviews to be extended to ten years.

AYES: Commissioners Cottrell, Collins, Clow, Abraham and Chairman Harpootlian  
NOES: None

This item will be forwarded to a future meeting of the City Council.

- 3.2 LANDS OF GAVRA, 25631 Vinedo Lane (Lot 1), #307-08-ZP-SD-GD; A request for a Site Development Permit for a new 6,656 square foot two story residence with a 3,707 square foot basement (maximum height 27'), a 385 square foot detached second unit (cabana) and a 608 square foot swimming pool. CEQA Review: Categorical Exemption per Section 15303 (a) & (e) (Staff-Nicole Horvitz).

Commissioner Collins recused herself for this item.

Planning Commission Ex Parte Contacts Policy Disclosure: Commissioner Abraham had spoken with the applicant and Chairman Harpootlian had spoken with the applicant and a neighbor.

Nicole Horvitz, Assistant Planner, presented the staff report for the proposed new two story residence with basement, detached second unit and pool. A condition of approval from the subdivision approval stating "All construction related traffic for the construction of the residence shall not use Vinedo Lane but should access from the existing driveway on Elena Road" is recommended to be added for Lands of Gavra.

Richard Chiu, City Engineer/Public Works Director, stated that the Vinedo Lane Roadway Maintenance Association had requested to widen the road on the Gavra's side. Due to the road being widened on the north side, the pathway placement adjacent to the road conflicted with the location of the cypress trees.

Debbie Pedro explained that the ten foot pathway easement had not been wide enough to accommodate both a five foot pathway and the cypress trees.

Commissioner Abraham asked about condition number 27 requiring the undergrounding of the purple pipe. He stated that the pipe color identified the water as non-potable and questioned why the pipe was required to be buried.

Richard Chiu stated that the pipe provided temporary irrigation for the required subdivision improvement landscaping. The subdivision improvements are now complete and a neighbor has complained that the pipe is a nuisance.

Scott Stotler, designer, explained the design for the house and the scope of the project. He stated that the application met all Los Altos Hills' policies and ordinances.

Chairman Harpootlian said it would be difficult to effectively screen the house as the two driveways take up such a large portion of the front yard area.

Scott Stotler felt that the curved design of the driveways provided more planting opportunities for screening of the house, garage doors, driveways and parked cars from the street. Trees planted along the pathway could create a tree lined canopy and buffer for the front of the house.

Isaac Agam, representative, said the decision of the City Council and Planning Commission had been for the Road Maintenance Association to unanimously decide which side of the road that would be widened, or if they could not agree, then the road would be widened toward the subdivision. It was necessary for the cypress trees to be removed for installation of the concrete curb and for safety concerns detailed in the traffic report. He had wanted to preserve the cypress trees. He compared the floor area and site characteristics of existing neighborhood residences to the new house. He asked the Planning Commission to reduce the Pathway easement width to five feet. The purple irrigation line was an issue he felt could be worked out and resolved with the neighbor and he promised to do all he could to mitigate the pipe.

#### OPENED PUBLIC HEARING

Sandy Humphries, Environmental Design and Protection Committee, expressed regret over the reason for removal and the actual removal of the cypress trees. The trees were important as bird habitat and for mitigation of the new residence.

Monica Giacomini, Vinedo Lane, was disappointed and shocked by the bulk and enormity of the new house as shown by the story poles, the closeness to the street and the total lack of any screening. The placement of the house on the lot does not conform to any of the other homes on the street. The view from her driveway of the new structure is obtrusive and inconsiderate. She asked that large trees be planted to replace the cypress trees.

Eugene Mandel, Vinedo Lane, believed that the proposed location of the buildings and driveways on the lot are in such close proximity to the entrance of Vinedo Lane from Elena Road that they would have a significantly adverse affect on the visual character of the street. The existing homes on Vinedo Lane are set back considerably more from the road. He urged the Planning Commission to adopt all three options in the alternative recommendations of the staff report so to mitigate the obtrusiveness of the proposed structures. Eighteen households on the street had endorsed his statement.

Geri Macomber, Vinedo Lane, had hoped that the new homes in the subdivision would have taken access off Elena Road. She felt that one of the proposed garages and one of the driveways could be eliminated. The traffic study for the subdivision had taken into account only two driveways off Vinedo Lane to service all three lots. She asked to see the traffic study for the

three driveways that was mentioned in the subdivision approval staff report. She asked that the alternative recommendations be adopted and that the neighbor's concerns be considered.

#### CLOSED PUBLIC HEARING

Scott Stotler, designer, said that characteristics of the lot and the creation of a backyard similar to the other backyards in the neighborhood dictated the placement of the new residence on the site.

Commissioner Abraham asked if the driveway on the west side of the lot could be narrowed down to 12 feet.

Scott Stotler stated that he would be willing to reduce the width of the westerly driveway to 12 feet.

Commissioner Cottrell suggested that the landscape screening plan be reviewed by the Planning Commission before approval. He supported the project with a requirement for an immediate front screening plan with large trees installed and the westerly driveway reduced in width to 12 feet.

Commissioner Abraham recommended the installation of eight 24 inch box trees along the pathway and the reduction of the westerly driveway to 12 feet. He requested deletion of condition of approval number 27 regarding the burial of the purple pipe.

Chairman Harpootlian wanted to decrease the width of the westerly driveway to 12 feet. He wanted a landscape screening plan reviewed and approved by the Planning Commission before issuance of the building permit.

MOTION MADE, AMENDED, SECONDED AND PASSED BY ROLL CALL VOTE: Motion made by Commissioner Abraham and seconded by Commissioner Cottrell to approve the Site Development Permit subject to the conditions of approval in attachment one with the deletion of condition of approval number 27; a landscape screening plan approved by the Planning Commission prior to the issuance of a building permit; reduction of the width of the westerly driveway to a maximum of 12 feet and the addition of the wording to condition of approval number 23 "All construction related traffic for construction of the new residence shall not use Vinedo Lane; access shall be solely taken from the existing driveway to Elena Road".

AYES: Commissioners Cottrell, Abraham and Chairman Harpootlian  
NOES: None  
ABSENT: Commissioner Clow  
RECUSED: Commissioner Collins

This item is subject to a 22 day appeal period and will be forwarded to a future meeting of the City Council.

- 3.3 LANDS OF AGAM, 25611 Vindeo Lane (Lot # 3), #315-08-ZP-SD-GD; A request for a Site Development Permit for a new 5,461 sq. ft. two story residence (maximum height: 27 feet) with a 3,577 sq. ft. basement, a 251 sq. ft. secondary unit (pool cabana), a 416 sq. ft. pool and a grading policy exception for up to 11 feet of cut for the driveway. CEQA Review: Categorical Exemption per Section 15303 (a) & (e) (Staff-David Keyon).

Planning Commission Ex Parte Contacts Policy Disclosure: None.

David Keyon, Associate Planner, presented the staff report for the new two story residence with basement, second unit and swimming pool. A grading policy exception for up to 11 feet of cut is requested for the driveways that abut the basement garage.

Scott Stotler, designer, discussed the design for the new residence and the request for the grading policy exception for the basement garage.

Isaac Agam, applicant, said that five cedar trees in the backyard were proposed to be removed.

#### OPENED PUBLIC HEARING

Gary Lauterbach, Elena Road, was concerned about the new home's placement on the lot. The front elevation of the new residence will overlook the bedroom area and backyard of his house. He felt there were other options for relocating the house to maintain his privacy.

Sandy Humphries, Environmental Design and Protection Committee, stated that there was no hardship on the property to cause placement of the driveways in the setbacks. There was plenty of land to locate the house elsewhere on the lot and prevent intrusion of the driveways into two side setbacks. The setback encroachment takes away green space between houses, takes away wildlife corridors and fencing is automatically promoted.

David Blair, Elena Road, was generally "ok" with the orientation of the house. He encouraged review of the landscape screening plan and consideration given to the proposed removal of the five large cedar trees.

Geri Macomber, Vinedo Lane, asked that the modification to the condition of approval regarding construction traffic approved for 25631 Vinedo Lane be included for this project. She requested that no construction parking be allowed on Vinedo Lane. She asked that stronger and better methods for enforcing construction parking restrictions be used to help relieve the burden put on the inconvenienced resident. The two yellow "Road Narrows" signs on Vinedo Lane were put up with no discussion with the Vinedo Lane Road Association and no one on the street wants the signs.

Richard Chiu, City Engineer, said the "Road Narrows" signs were approved by the Town as part of the road widening design as a safety item.

#### CLOSED PUBLIC HEARING

Scott Stotler, designer, said landscape screening could help mitigate the view for the neighbor on Elena Road and that construction vehicles would gain access off Elena Road.

Chairman Harpootlian said that the driveway encroachment into the setback was eliminating a planting area that could be used for landscape screening between the neighbors.

Commissioner Collins felt there was available area on the lot for the project to be designed without the driveways located so close to the property lines.

Isaac Agam, applicant, felt the new residence would be well screened from the neighbors with the newly planted and the existing established trees.

Commissioner Collins felt that the perceived hardship for the lot was design driven. A house with the same amenities could be designed that did not need to locate driveways in two side yard setbacks. If the house was pushed further back on the lot, she was not convinced that wanting a basement garage was enough reason to approve a grading policy exception. She had a growing concern that the granting of grading policy exceptions that take up more of the lot area, demand more grading and allow bulkier structures was not protecting the rural community of the Town. She did not support the project as proposed.

Commissioner Abraham said the entire project except the grading policy exception was in compliance with the Town's ordinances. He supported the project as presented.

Commissioner Cottrell said the project was in compliance with Town code but felt the cabana could have been positioned so the entire new house could be moved back to keep the driveways out of the setbacks. The 18 inch oak tree should be preserved if possible. The construction traffic should access from Elena Road.

Chairman Harpootlian was concerned with utilization of two setbacks for the driveways as a way of maximizing the amount of yard area for the lot. He would support either continuing the project to a future Planning Commission meeting or he would support the project if the house was moved ten feet to the west.

**MOTION MADE, AMENDED AND PASSED BY THE FOLLOWING ROLL CALL VOTE:**  
Motion made by Commissioner Collins and seconded by Commissioner Cottrell to continue the project to a future Planning Commission meeting to allow the applicant an opportunity to submit redesigned plans showing the main residence and parking area relocated ten feet to the northwest by extending the driveway from the easement ten feet.

AYES: Commissioners Cottrell, Collins and Chairman Harpootlian  
NOES: Commissioner Abraham  
ABSENT: Commissioner Clow

This item will be heard at a future Planning Commission meeting.

- 3.4 LANDS OF KROOT & GALILI, 26950 Moody Court, #28-09-ZP-SD-VAR; A request for a Site Development Permit for a 593 sq. ft. first and second story addition and interior remodel (Maximum height: 24') and setback Variances for the two story addition, a 16'L x 20'W x 9'H trellis, and an outdoor parking area to encroach up to 20' in the side yard setback. In addition, the applicant requests a Grading Policy exception and grading and setback Variances to locate a 22'L x 10'W trash enclosure within the side yard setback. CEQA Review: Categorical Exemption per Section 15303 (a) (Staff-Nicole Horvitz).

Planning Commission Ex Parte Contacts Policy Disclosure: None.

Nicole Horvitz, Assistant Planner, presented the staff report for the proposed addition. A covered parking area was requested to encroach into the side setback by 20 feet. A variance for permission to grade within one foot of the side property line and a grading policy exception was requested to create an area for a trash enclosure.

Mark Kroot, applicant, stated that he wanted to improve his home by adding a third bedroom. He stated that the new parking area would make access to the house easier for unloading groceries, etc. than walking up the stairs from the garage. He had support from the adjoining neighbor for the project.

Chairman Harpootlian felt the area in front of the house could be used as a parking area.

Mark Kroot said that the front of the house had been used for parking by the previous owners. He had worked to remove the compacted surface to create a front yard which the neighbors appreciated.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

Commissioners Collins, Cottrell, Abraham and Chairman Harpootlian supported the project because of challenges of the site and the minimal impact to neighbors.

MOTION SECONDED AND PASSED BY CONSENSUS: Motion made by Commissioner Cottrell and seconded by Commissioner Abraham to approve the Site Development Permit subject to the conditions of approval in attachments one and two and approve the requested Grading Policy Exceptions and setback Variance.

AYES: Commissioners Cottrell, Collins, Abraham and Chairman Harpootlian  
NOES: None  
ABSENT: Commissioner Clow

This item is subject to a 22 day appeal period and will be forwarded to a future meeting of the City Council.

- 3.5 LANDS OF TOWN OF LOS ALTOS HILLS (AT&T WIRELESS), 27440 Purissima Road; #26-09-CUP; A request for a Conditional Use Permit renewal and modification to replace two 2' tall antennas with 4' tall antennas on an existing 70' tall monopole. CEQA Review: Categorical Exemption per Section 15301 (Staff-David Keyon).

Planning Commission Ex Parte Contacts Policy Disclosure: None.

David Keyon, Associate Planner, presented the staff report for the Conditional Use Permit renewal and modification to the AT&T wireless facility at the Little League Fields originally approved in 1993. Two existing two foot tall antennas on the monopole are proposed to be replaced with two four foot tall antennas. The conditions of approval reflect the state requirement for wireless facility review to be no less than every ten years.

Commissioner Abraham did not feel it was necessary for the applicant to obtain a building permit for the replacement.

Matthew Yergovich, representative for AT&T, stated that the new antennas and the minor modification would allow the antennas to be tilted remotely.

OPENED PUBLIC HEARING

CLOSED PUBLIC HEARING

MOTION SECONDED AND PASSED BY CONSENSUS: Motion made by Commissioner Collins and seconded by Commissioner Cottrell to forward to City Council the recommendation to approve the modification and renewal of the Conditional Use Permit and change the review period from five to ten years.

AYES: Commissioners Cottrell, Collins, Abraham and Chairman Harpootlian  
NOES: None  
ABSENT: Commissioner Clow

This item will be forwarded to a future meeting of the City Council.

4. OLD BUSINESS - none

5. NEW BUSINESS – none

6. REPORT FROM THE CITY COUNCIL MEETING

- 6.1 Planning Commission Representative for March 12<sup>th</sup> – Commissioner Collins
- 6.2 Planning Commission Representative for March 26<sup>th</sup> – Commissioner Clow
- 6.3 Planning Commission Representative for April 9<sup>th</sup> – Commissioner Cottrell
- 6.4 Planning Commission Representative for April 23<sup>rd</sup> – Commissioner Abraham



7. APPROVAL OF MINUTES

7.1 Approval of March 5, 2009 minutes

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Commissioner Abraham and seconded by Commissioner Collins to approve the March 5, 2009 minutes as presented.

AYES: Commissioners Cottrell, Collins, Abraham and Chairman Harpootlian  
NOES: None  
ABSENT: Commissioner Clow

8. REPORTS FROM FAST TRACK MEETING – none

9. REPORT FROM SITE DEVELOPMENT MEETING – MARCH 3, MARCH 17 AND MARCH 31

- 9.1 LANDS OF THAIK, 2275 Old Page Mill Road; File #311-08-ZP-SD; A request for a Site Development Permit for a landscape screening plan for a 4,997 square foot new residence approved on March 21, 2006. CEQA review: Categorical Exemption per Section 15304 (b) (Staff-Nicole Horvitz) (Approved with conditions).
- 9.2 LANDS OF COUGHRAN, 12695 Roble Veneno Lane; File #322-08-ZP-SD-GD; A request for a Site Development Permit for a 1,310 square foot single story addition and hardscape modifications. CEQA review: Categorical Exemption per Section 15303 (a) & (e) (Staff-Nicole Horvitz) (Approved with conditions).
- 9.3 LANDS OF LAM, 23415 Camino Hermoso; File #10-08-ZP-SD; A request for a Site Development Permit for a landscape screening plan for an addition approved on February 28, 2006. CEQA review: Categorical Exemption per Section 15304 (b) (Staff-Nicole Horvitz) (Approved with conditions).
- 9.4 LANDS OF LIZAUR, 11571 Buena Vista Drive; File #2(Approved with conditions)99-08-ZP-SD; A request for a Site Development Permit for a landscape screening plan for a second unit and addition approved on November 21, 2006. CEQA review: Categorical Exemption per Section 15304 (b) (Staff-Nicole Horvitz) (Approved with conditions).

10. ADJOURNMENT

The meeting was adjourned by consensus at 10:08 p.m.

Respectfully submitted,

Victoria Ortland  
Planning Secretary